

ORIGINAL

For Commission Use Only:

Case:

04-0759

OFFICIAL FILE

ILLINOIS COMMERCE COMMISSION

FORMAL COMPLAINT

2004 DEC -9 A 10: 56 Illinois Commerce Commission

527 E. Capitol Avenue

CHIEF CLERK'S OFFICE Springfield, Illinois 62701

Regarding a complaint by (Person making the complaint): Benjamin C. Duster

Against (Utility name): Commonwealth Edison

As to (Reason for complaint) ComEd has resumed charging a "charge in lieu of demand" which was eliminated by agreement pursuant to an order by the ICC in case ICC 98-0781 which included the installation of a demand meter.

in Chicago Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is 7459 S. Cottage Grove

The service address that I am complaining about is 7457 S. Cottage Grove, Chicago, IL--Acc No: 9777301004

My home telephone is N/A []

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at [773] 651-9310

(Full name of utility company) Commonwealth Edison (respondent) is a public utility and is subject to the provisions of the Illinois Public Utilities Act.

In the space below, list the specific section of the law, Commission rule(s), or utility tariffs that you think is involved with your complaint.

That section which allows ComEd to charge a customer "in lieu of demand" WHEN THERE IS NOT A DEMAND METER ON THE PREMISES. But in this matter the demand meter was installed, but ComEd then came up with an "energy charge" IN ADDITION TO THE DEMAND CHARGE.

Have you contacted the Consumer Services Division of the Illinois Commerce Commission about your complaint?

☒ Yes ☐ No

Has your complaint filed with that office been closed?

☒ Yes ☐ No

Please state your complaint briefly. Number each of the paragraphs. Please include time period and dollar amounts involved with your complaint. Use an extra sheet of paper if needed.

1. In the matter of Duster vs. ComEd, ICC Doc 98-0871 a complaint was filed alleging the "in lieu of demand" charge was taking customer money without documentation of energy actually used.
2. The agreed order called for the installation of a demand meter and the charge for only the energy used.
3. ComEd complied with the agreement until on or about January 2004 when it started an "energy charge" in addition to the demand charge.
4. I was told the additional charge was due to a change in demand which would be re-adjusted in 2005.
5. Copies of several items of communication between me and ComEd are attached.

Please clearly state what you want the Commission to do in this case:

1. Provide a copy of the complaint and order in ICC Doc. 98 - 0871.
2. Require ComEd to provide a month by month itemization of the money received and an itemized detail of the application of those moneys for January 01, 2003 through November 30, 2004.

Date: November 30, 2004
(Month, day, year)

Complainant's Signature

Benjamin C. Duster

If an attorney will represent you, please give the attorney's name, address, and telephone number.

PRO SE

Attorney Benjamin C. Duster
7459 S. Cottage Grove
Chicago, IL 60619

Phone: 773.651.9310
FAX: 773.651.5126

You need to file the original with the Commission. Also, provide one copy for each utility complained about (referred to as respondents).

VERIFICATION

A notary public must witness the completion of this part of the form.

I, Benjamin C. Duster, first being duly sworn, say that I have read the above petition and know what it says.
The contents of this petition are true to the best of my knowledge.

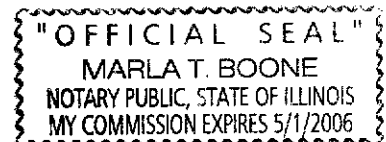
(Signature)

Benjamin C. Duster

Subscribed and sworn/affirmed to before me on (month, day, year) November 30, 2004

Marla T. Boone

Notary Public, Illinois



NOTE: Failure to answer all of the questions on this form may result in this form being returned without processing. If you have questions, please call the counselor in the Consumer Services Division that handled your informal complaint.